IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

ORDER

S.B.CRIMINAL MISC. PETITION NO. 275/2005
(Amar Singh V/s State of Rajasthan & Anr.)

Date of Order : 07/08/2006

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. Pritam Solanki, for the petitioner.
Mr. Ashok Upadhyay, public prosecutor.

BY THE COURT:-

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioners have assailed the order dated 16.12.2004 passed by Additional Session Judge, Nohar (for short 'the revisional court' hereinafter) in Criminal Revision No.55/2004, whereby the revisional court dismissed the revision petition filed by petitioner against the order dated 04.4.2002 passed by Additional Chief Judicial Magistrate, Nohar (for short 'the trial court' hereinafter).

By order dated 04.04.2002, the trial court took the cognizance of the offences under Sections 447, 341, 323 and 504 IPC against the petitioner and issued the process. The order taking cognizance is dated 04.04.2002. There has not been any interim stay, staying the proceedings till date. The trial court by

now, might have framed the charges and proceeded with the trial of the case. Even otherwise, both the courts have below concurrently found the prima-facie case against the present petitioner. It cannot be said that the order taking cognizance would result in serious miscarriage of justice or abuse of the process of any Court.

The criminal misc. petition has no force and is therefore, dismissed. Stay petition also stands dismissed.

(H.R.PANWAR),J.

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